

THE SECRETARY OF STATE

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DEPARTMENT OF STATE

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Dear Griffin:

In amplification of my letter of July 16 requesting that you exercise the authority conferred by Section 212(d) (5) of the Immigration and Nationality Act to admit 15,000 Indochinese refugees into the United States, I would like to underscore certain aspects of the dilemma faced by ever greater numbers of these refugees in the tragic aftermath of the wars in Vietnam, Laos, and Cambodia. The questions raised in your July 19 letter and by your staff will I trust be thereby satisfactorily answered.

Although over 145,000 Indochinese refugees have been paroled into the U.S. since April 1975, and more than 45,000 have been given permanent asylum in other countries, the refugee population in Thailand and elsewhere in Southeast and East Asia continues to grow. Despite the danger of encountering security forces attempting to control land borders and shorelines, each month between 1,200 and 1,500 people escape into Thailand from Laos and Cambodia and approximately 500 Vietnamese make their way to countries on the littoral of the South China Sea, hazarding the high seas in small craft designed for coastal waters. The reception given these refugees is deliberately fashioned to discourage them, since for economic and political reasons neither Thailand nor any other nation in Asia is willing to harbor them permanently. The bleak prospect they have of even gaining temporary asylum, however, has not staunched the flow from the region and persecution by the new regimes of Indochina; and the deplorable conditions which the refugees who successfully escape must endure in camps or on beaches if they are even allowed ashore has not discouraged others from attempting to join them.

The Honorable
Griffin Bell,
Attorney General,
Department of Justice.

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There are now 82,000 refugees in Thailand - 80,000 crowded into 15 inland camps and another 2,000 or more in two sites along the coast where those boat case refugees from Vietnam are aggregated. Over 5,000 other boat case refugees have temporary safehaven elsewhere in the area (3,100 are in Malaysia, over 500 in the Philippines, another 500 in Japan, and lesser numbers in Indonesia, Hong Kong, Singapore, Taiwan, and Korea); and some boat case refugees, fortunate enough to be rescued at sea from their own sinking craft, are carried great distances before reaching a hospitable port (108 are now on a ship off Madras, India, after being refused at Singapore; 15 are on a ship bound for South Africa; 7 have been permitted to land in Kuwait until other arrangements for them can be made).

This total of 87,000 contrasts with the 80,000 of more than a year ago when the U.S. parole program for 11,000 was inaugurated. As our program progressed, France continued its admission of approximately 1,000 a month, a rate sustained from May 1975 to the present. Clearly, earlier speculation that during 1977 the number of refugees would stabilize, and perhaps even decline with the help of permanent resettlement countries (France especially, and the United States through the conditional entry of a limited number of boat cases) was not justified. Events -- especially the efforts of the new authorities to remake the societies of Indochina and punish old opponents -- have overridden hopes and estimates alike. The boat case refugees are the most obvious evidence of how inadequate were our own projections in this matter. Thus, we now have an emergent situation which, as I said last month to the President in my recommendation requesting parole, requires immediate action.

As you know, my proposal for the parole of 15,000 recommends that priority be given to the boat case refugees. Their desperate circumstances -- and the fate of any future refugees who may be denied even a temporary landing if the present refugees with first asylum are not moved onward to permanent resettlement -- call for a positive response. (Attached is a very recent cable from Malaysia which illustrates, in paragraphs 3, 4, and 5, the terrible urgency of the situation.) This administration has placed humanitarian considerations in the forefront of its concerns, and thus I believe the national interest will be well served by our generous acceptance of those boat case refugees who have no other resettlement prospects.

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The non-boat case refugees in Thailand (67,000 Lao and Hmong from Laos; 11,000 Cambodians; 1,300 Vietnamese) have made less obviously dramatic but not always less perilous escapes to the camps where they now have a bleak, tightly circumscribed life. Last year's parole enabled several thousand to reach the United States, based on their having close relatives already here (Category I), having been employed by the United States Government in their homelands (Category II), or having been by their positions in the civil administration or armed forces of the former governments closely associated with the U.S. missions, personnel, and programs in Indochina (Category III). Those refugees were targets of especial enmity by the new rulers, and at the same time were less likely to be welcome in temporary asylum or offered permanent resettlement by other countries, who viewed them as linked to the United States. Our 1976 program relieved the situation -- but unfortunately only temporarily.

In the last months of 1976 and through the first half of this year new refugees who meet the same criteria as did those of the earlier program have made their way to Thailand. According to the latest estimates of our Embassy in Bangkok, there are now just over 8,000 confined to the in-land camps who appear to qualify under the terms of the 1976 parole. Their ethnic breakdown under the three categories is as follows (numbers include accompanying family members):

	CAT I	CAT II	CAT III	TOTAL
Lao	500	1,500	2,000	4,000
Hmong	1,000	400	1,600	3,000
Cambodian	200	50	500	750
Vietnamese	125	100	200	425
Thai Dam	50	50	75	175
Total	1,875	2,100	4,375	8,350

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Naturally statistical details change frequently, as new refugees arrive and some depart for third countries. Each applicant will have to be examined to determine his eligibility under parole criteria. The screening process would be arduous and require the expertise of experienced INS officers to achieve the goals of selecting those who are properly qualified and uncover fraudulent claimants to our help.

I believe that those who meet the criteria very much need our assistance. The U.S. involvement in Indochina from 1954 until 1975 was so pervasive and protracted that many of the officials and citizens of the three countries developed especially close relationships with Americans and our national objectives in Indochina. With the collapse of the former governments, that association stigmatized them. Having been identified with policies and practices characterized as both hostile and foreign, those people have suffered especially harsh reprisals for sharing goals and endeavors with us. Seen in that light, the refugees of the proposed categories have a strong claim to our concern.

Sympathy, even coupled with financial contributions for their care and maintenance, is not, in my view, an adequate manifestation of that concern. We can both acknowledge the association of the past and give hope to people now dispirited and desperate by admitting them to a new life here. Normal immigration, even conditional entry, does not offer any relief in the critical short term because of numerical limitations and statutory restrictions. An early solution to the plight of the refugees is needed. Thailand is heavily burdened by the growing numbers, and its present practice of providing asylum is threatened by the magnitude of the problem. It is our policy to encourage acceptance of refugees from tyranny, and to ease the situation in Thailand will shore up the Thai government's current practice, as well as give an example to the world of a humane response to this very serious refugee situation.

The regeneration of almost the same dimensions in the Indochinese refugee problem this year as existed last year makes it unwise to advocate that the proposed parole will

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solve the problem or even permit us to back off thereafter from deep involvement in the subject. What the possible elements of a long term solution might be will be explored by an interagency task force which the President has directed the Department of State to chair. The first meeting of the group is being held July 22. As the task force examines options and undertakes actions here and abroad aimed at alleviating the Indochinese refugee problem, I will be in close touch with you so we can keep Congress informed.

As the task force begins its look at the problem, the requirement to initiate short-term measures becomes more pressing. I assured the President that a strenuous diplomatic effort would be undertaken to elicit a greater international commitment to assisting the refugees by giving, as appropriate, first asylum, permanent resettlement, and financial aid to the UNHCR. This effort will be much more promising if the United States can begin a parole in the near future, both to benefit those refugees admitted here and to provide exemplary leadership to others.

To enable the parole to be implemented as soon as possible following a favorable decision on your part, the Department's Coordinator of Human Rights and Humanitarian Affairs, Patt Derian, and the staff of the Office of Refugee and Migration Affairs, have already met with the American Council of Voluntary Agencies (ACVA), whose member agencies assisted in earlier parole programs for Indochinese and other refugees. Those agencies are ready now to search for and verify the qualifications of the sponsors who will introduce the new arrivals to life in America. These agencies, long experienced in this social action field, have assured us unequivocally that within eight months after parole is authorized, qualified individuals, church groups, and civic associations will be matched with refugee families approved for a new parole of 15,000; some will be the same sponsors who assisted the refugees' relatives already here. On this basis, the approved refugees would all be here within a year. The pace of the parole would be, in these terms, carefully deliberate for the ultimate benefit of the refugees' adjustment and integration.

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That measured pace of arrivals, however, should not be a reflection of the tempo at which selection of refugees would take place. Priority in movement will be given to the boat cases, especially in view of the importance of such movement to the decisions of the countries of first asylum. Thus the earliest possible decision on the inauguration of the parole would be desirable. As I said in my earlier letter to you, the Department stands ready to assist in consultations with Congress and other matters at your request.

With warm regards,

Sincerely,

Cyrus Vance

Enclosure:
Kuala Lumpur 4687

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